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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------|
| 10/782,964 | 02/23/2004 | Andrew Bocking | 16813-4US | 7566 |
| 20988 7590 04/19/2007 OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA | | | EXAMINER SHRESTHA, KIRAN K | |
| | | | ART UNIT 2109 | PAPER NUMBER |
| SHORTENED STATUTORY PERIOD OF RESPONSE | | MAIL DATE | DELIVERY MODE | |
| 3 MONTHS | | 04/19/2007 | PAPER | |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/782,964

Applicant(s)

BOCKING ET AL.

Examiner

Kiran K. Shrestha

Art Unit

2109

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date <u>01/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the original filing of Feb. 23, 2004. Claims 1, 12 and 24 are independent claims. Claims 1-24 are pending and have been considered below.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 01/07/2005 was filed after the mailing date of the application on 02/23/2004. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-10, 12-22 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by **Borland** (US6320943).

Claims 1, 12 and 24: Borland discloses a wireless communications device, method and computer program product having a computer readable medium for use in a

wireless network comprising: a user interface for controlling the operations of the wireless communications device (Column 5, Lines 18-27) including a component to compose a destination for an outgoing communication generated by the device, said component providing together:

a prompt for receiving the destination from a user (Column 5, Lines 29-43); and
a hot list of candidate destinations from which the user may select the destination (Column 5, Lines 44-62).

Claims 2 and 13: Borland discloses the wireless communications device and method of claim 1 and 12, further including: a key-based input device to input the destination (Column 4, Lines 18-21).

Claims 3 and 14: Borland discloses the wireless communications device and method of claim 2 and 13, the user interface comprises a home screen component from which to invoke a feature from among a plurality of features provided by the device (Column 2, Lines 45-58); and wherein the component to compose a destination is invokable from the home screen component automatically in response to an input from the key-based input device of a portion of the destination (Column 2, Lines 45-58).

Claims 4 and 15: Borland discloses the wireless communications device and method of claim 3 and 14, wherein the destination is a telephone number to be called and the input is a portion of a telephone number (Column 6, Lines 47-51).

Claims 5 and 16: Borland discloses the wireless communications device of claim 3 and 14, wherein the portion of the destination populates the prompt when the component to compose a destination is invoked (Column 6, Lines 47-51).

Claims 6: Borland discloses the wireless communications device of claim 1 wherein the component to compose a destination is invokable in response to at least one of: an interaction with a home screen component of the user interface from which to invoke a feature from among a plurality of features provided by the wireless communications device; and an auxiliary input device (Column 1, Lines 46-49).

Claims 7: Borland discloses the wireless communications device of claim 3 wherein the component to compose a destination is further invokable in response to at least one of: an interaction with the home screen component of the user interface; and an auxiliary input device (Column 1, Lines 46-49).

Claims 8 and 18: Borland discloses the wireless communications device and method of claim 1 and 12, wherein the component to compose a destination is navigable by a user to move between the prompt and hot list (Column 5, Lines 53-55).

Claims 9 and 20: Borland discloses the wireless communications device and method of claim 1 and 13, wherein the component to compose a destination is adapted to

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provide a filtered list of destinations from a store of destinations on the device in response to a filter input by the user (Column 5, Lines 65-66 and Column 6, Lines 1-6), said filtered list selectable by the user to choose a destination (Column 5, Lines 65-66 and Column 6, Lines 1-6).

Claims 10 and 22: Borland discloses the wireless communications device and method of claim 1 and 12 wherein the prompt is adapted to permit a user to navigate and change the destination while composing (Column 5, Lines 9-11).

Claims 17: Borland the method of claim 12 comprising: providing a home screen from which to invoke a feature from among a plurality of features provided by the device; and invoking the providing of the composition screen from the home screen in response to one of: an input of a portion of the destination; an interaction with the home screen; and an activation of an auxiliary input device dedicated to invoke the composition screen (Column 1, Lines 46-49).

Claims 19 and 21: Borland the method of claim 18 and 12, comprising receiving the destination selected from the hotlist and generating the outgoing communication in response (Column 6, Lines 2-6).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 11 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Borland** (US6320943).

Claims 11 and 23: Borland discloses the wireless communications device and method of claim 1 and 12, **Borland** does not disclose, "the component to compose a destination is adapted to provide at least one action button for terminating composition of the destination". However, Official Notice is taken that it is old and well known within the computing arts to include buttons (i.e. cancel, stop, close, etc.) in order to terminate undesirable actions. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to include a cancel button in **Borland**. One would have been motivated to do so in order to allow a user to prevent the message being sent if the user erroneously selected an undesirable destination.

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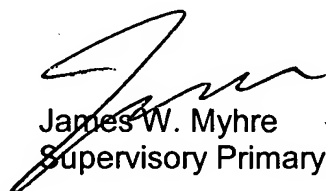
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Kiran K. Shrestha whose telephone number is (571) 270-1691. The examiner can normally be reached Monday through Thursday from 7:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James W. Myhre, can be reached on (571) 270-1065. The fax phone number for Formal or Official faxes to Technology Center 2100 is (571) 273-3800. Draft or Informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.

K.S.
KKS
April 11, 2007


James W. Myhre
Supervisory Primary Examiner